

Order

Michigan Supreme Court
Lansing, Michigan

February 5, 2014

Robert P. Young, Jr.,
Chief Justice

147411

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

HEATHER VEREMIS and TAD
VEREMIS,
Plaintiffs-Appellees,

v

SC: 147411
COA: 302658
Saginaw CC: 07-063269-NI

GRATIOT PLACE, LLC,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 4, 2013 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE that part of the judgment of the Court of Appeals affirming the Saginaw Circuit Court's judgment with respect to the negligent nuisance in fact claim, for the reasons stated in the Court of Appeals dissenting opinion, and we REMAND this case to the Saginaw Circuit Court for entry of an order granting the defendant's motion for directed verdict on that claim. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



h0129

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 5, 2014


Clerk